



Townsend Council Meeting Minutes
April 7, 2021 @ 7:00 pm
VIA CONFERENCE CALL

Per the Governor's request, all scheduled meetings will be held via electronic means. Residents will be able to view documents posted to the meeting tab on the Town website at www.townsend.delaware.gov or by joining the meeting via computer.

Those wishing to attend may dial 1(301)715-8592. When directed, provide following meeting ID 82764217575# and then the following password 361631# to enter the meeting.

If you choose to access the meeting online Join the online meeting:

<https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xjME1HV0ZOcHRxSHZ3QT09>

I. Call to Order: The meeting was called to order at 7:00 p.m. by Mayor Thomas McDonald.

II. Opening Ceremonies

A. Roll Call:

The following Council and Staff were present with electronic access available for guests: Mayor T. McDonald, Councilman P. Miller, Councilman S. Lobdell, Councilman J. Mertz, Town Manager A. Mangeri, Financial Officer J. Helms, Town Engineer E. Van-Otoo, and Lt. Lloyd, DSP.

B. Pledge of Allegiance: Skipped for Electronic Meeting

C. Recognition of Visitors: Present guests were Lorraine Gorman and Councilman David Carter.

D. Announcements: TM Mangeri announced Town Clerk Tantillo was absent from the meeting and TM Mangeri would be available to answer any questions for the Town Clerk's office.

III. Additions and Deletions to published Agenda:

1. Mayor McDonald deleted the item under the Finance Committee Report – "ACTION ITEM: A discussion and possible vote on the proposed Fiscal Year 2022 budget." Until the Finance Committee can have further discussion on the proposed budget.

IV. Approval of Minutes

Approval/ Rejection of Council Workshop Minutes from the March 24th, 2021 Town Council Workshop Meeting. *CM Miller motioned for the approval of the minutes as presented, CM Mertz seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Mertz- Yea, Miller- Yea)*

V. State Police:

1. An update on March 2021 activity

a. Lt. Lloyd shared that there were 44 total responses in the Town of Townsend in the month of February. This included five domestic disputes, one assault, one theft from a vehicle, one fraud, one proactive drug arrest, one traffic stop, four crashes- three of which were at Rt. 71 and Main St., and 29 non-criminal, non-reportable incidents.

b. There were approximately 152 tickets issued in and around Townsend.

c. Additionally, as part of their initiative, State Police committed to the 12 hours of extra patrol every two weeks, equating to an additional 24 hours for the month of February. State Police actually conducted 75 additional hours of extra patrols in Townsend, during the month of March.

d. Lt. Lloyd also offered assistance again to the Neighborhood Watch Program.

e. CM Lobdell clarified if all of the tickets were in Townsend. Lt. Lloyd reported that it was in and around Townsend, which is low, due to COVID compared to prior to COVID.

f. CM Mertz asked for clarification on a proactive drug arrest. Lt. Lloyd explained that this would be an arrest from a traffic stop, not a reactive arrest from something like a 911 generated call.

VI. Mayor's Report

No report.

VII. Reports

A. Town Attorney Fred Townsend III:

1. Mayor McDonald requested a phone conference later with TM Mangeri and TA Townsend.

B. Town Engineer Edwin Van-Otoo:

1. An update and discussion on Town projects.
 - a. TE Van-Otoo provided an update on the Townsend Tennis and Pickle Ball Court. The subbase is being installed. There was an issue earlier in the week with a portion of the area that needed undercutting of the subbase because there were areas of the court with pumping and soft ground in the area. A change order was issued to undercut the area, remove the soils, and replace with rock and geotextile in the area to make it sturdier. Additionally, two trees were to be removed to do fine grading to allow water to flow at the low end of the court.
 - b. Mayor McDonald asked if these changes were in the parameters of the grant. TM Mangeri shared that he and TE Van-Otoo reviewed the changes and believe they are within the scope of the grant. There is some buffer in the grant and this is not an unusual situation. CM Mertz asked TE Van-Otoo if the removed trees were to be planted elsewhere or if they were discarded. TE Van-Otoo shared that in the future, they would like to do that, but that was not part of this project. TM Mangeri shared that there was not a cost benefit to saving these trees. Removing these trees was the best option for water flow and safety.
 - c. TE Van-Otoo shared the Woods at Hidden Creek has begun, but one item is pending, which is the Clubhouse. The developer has opted to leave the area near the Clubhouse as a parking lot, without adding offices or anything extra in the area. TE Van-Otoo will be verifying the on-lot drainage meets the Code requirements and will issue the developer a letter so they can move forward with the Clubhouse.
 - d. Additional pending items are TVI and TVII projects, which are coming to a close. TE Van-Otoo sent out bond releases for the phases to be completed by Gray Street Properties to be signed off from the Town Manager, Mayor, Town Engineer, and a representative from Gray Street Properties. Once complete, this will allow for resolutions to be drafted to tie up the projects.

Any outstanding punch list items could not be done in the wintertime due to the weather. These items will be cleared up and a maintenance bond is in place for such action.

e. Ms. Gorman asked if a pool would still be built in the Woods at Hidden Creek? TE Van-Otoo confirmed that the pool would still be put in but without the addition of any changing area or office space.

2. An update on the possible waste treatment report and funding opportunities.

a. TE Van-Otoo shared that he and TM Mangeri have been invited to a meeting on April 14th to vote on the Town's grant application, which will determine if the Town moves forward with the funding source.

3. A discussion on a potential pole building project and bids for the project.

a. TE Van-Otoo is reviewing this information.

4. TE Van-Otoo notified Council that he is working on the area between South and Ginn St., with the Handler group to decide what to do with the area. There is some ponding abutting some properties on Ginn St. The Town is working through these issues, the issue is the way its graded and Handler is working to assist the Town to how to best fix this. TE Van-Otoo shared that this area was originally developed by MS Development and was turned over to Handler, so legally the property is Handler's. There is a lot of grading issues in this open space. TE Van-Otoo and TM Mangeri had a meeting in this area at the end of March and there were pockets of water throughout the area. Additionally, there are some encroachment issues from neighboring property fences into the open space area, which contribute to issues. People cannot encroach on open space areas. Additionally, the area needs to be regraded. There is also a stormwater pond that water cannot flow to, based on the contours of the site. CM Mertz asked TE Van-Otoo how a permitted fence was allowed. TM Mangeri asked CM Mertz to meet with him to review this issue.

C. Town Manager Anthony S. Mangeri:

1. A discussion on Town Election activities.

a. On behalf of Town Clerk Tantillo, TM Mangeri announced that the Town of Townsend Election day will be Saturday, May 1st, 2021 from 8 am- 6 pm. The Town is currently seeking poll workers. There are four candidates for the three available Council seats: Ms. Eschalla Clarke, Mr. Gerald Dove, Mr. Scott Lobdell, and Mr. Joshua Mertz. Residents who have not registered to vote, must register online at ivote.de.gov, by April 17th. This is posted on the Town's website. Absentee ballots are also available through Town Hall. Absentee Ballot requests must be completed and returned to Town Hall in order to request an absentee ballot. Requests can be found on the Town Hall website or can be requested by contacting Town Hall via phone or email. Lastly, the Board of Elections will be hosting a Meet the Candidates night on Monday, April 19th, via Zoom at 7 pm. Residents are invited and encouraged to attend. Meeting details and additional election details can be found on the Town's website and have also been posted to the Town's Facebook.

2. A status update on the sidewalk installation at TVII, along Ginn Street.
 - a. One of the vendors previously looked at for a low bid, is no longer doing concrete work. TM Mangeri has shared a second bid with the Council for the sidewalk work. If acceptable, this can be submitted to Representative Spiegelman's Office. Once accepted, TM Mangeri will get a letter from Representative Spiegelman's Office and he will submit the project details for approval. The new bid is just under \$19,000. CM Dugan and CM Lobdell and TM Mangeri have reviewed the bid, they will submit the information to the State for approval. TE Van-Otoo asked by the concrete strength of 4,000 PSI was so high? CM Lobdell thinks that this may have been added due to the proximity to wetlands and soft soil. TM Mangeri assured Council that this will be submitted to TE Van-Otoo for approval before work begins.
3. A report on Town Administrative activities.
 - a. TM Mangeri has provided a report on administrative activities to Council, prior to the meeting. Of significance, TM Mangeri announced that for the month of March, there were 20 Contractors licenses issued, 16 permits issued, an additional three are under review, three that are awaiting additional information from homeowners, five that have been closed out with Certificates of Occupancy issued, eleven which have been closed and received final approval letters, and 28 inspections completed. Additionally, in response to Council's inquires, there were eight complaints filed in Town in the month of March. Of those complaints, three were unfounded, meaning they were out of Town or we could not find an issue, one was related to a roadbed issue which was resolved, and three were related to drainage around their property, two within TVII and one in the area of Rt. 71 and Cannery Lane, with drainage issues on either side. Public Works is aware of the issue and TE Van-Otoo and TM Mangeri have walked Cannery Lane and are working to resolve the issues.
4. Status update on the COVID-19 pandemic.
 - a. TM Mangeri provided Council with an update on the COVID-19 pandemic. Residents 16 and up are now eligible for COVID vaccinations. Residents are encouraged to visit <https://coronavirus.delaware.gov/> for information. Within our zip code, the average daily infection rate for new positive cases from March 31st, April 6th has averaged 6 new cases per day. The high was 11 new cases on April 7th, followed by eight new cases on March 31st, and seven new cases on April 1st. The lowest was two new cases on April 4th. It should be noted that the percent of persons testing positive is an average of around 28% daily, of those tested per day. April 4th and 5th, the average dropped to 23% and there was one day within the time period; April 1st, where there was a high of 33% of those tested, tested positive. The lowest was 10% of those tested, tested positive on April 4th, which may or may not be an anomaly. Overall, the Town is still in the high double digits. Overall there is a slight increase, with the trend line slightly trending upwards. There have also been approximately 12 deaths in the past year related to COVID-19, this data has not changed in the past two months.

- b. Per Council's request, TM Mangeri has provided playground information and a survey of playgrounds. TM Mangeri presented this to Council later in the meeting when they got to that agenda item.
- 5. **ACTION ITEM:** A discussion and possible vote to renew the OnSolve/ Code Red Contract for the Town of Townsend Electronic Notification Services.
 - a. TM Mangeri shared that the OnSolve/ Code Red Contract, is currently \$2,500 per year. He has reached out to the state and to the county to determine why there is not an integrated cooperative account for each and he is receiving information that there is not, each Town is obligated to create their own community alert network. The contract is similar to other available contracts, but other contracts do not meet the requirement to be an emergency notification system, but just do email notification, which may not meet the Town's need for emergency, urgent alerts. The contract for renewal is coming up. TM Mangeri reached out to the county Emergency Manager who suggested he reach out to the State. On Solve is no longer the state contractor, so he is looking to see if the state contract price is lower. There is a Town Ordinance which requires the Town to have an Emergency Notification System.
 - b. Mayor McDonald notified Council that he is the one pushing TM Mangeri because he would like a program that is efficient and wants residents to pay attention to the Code Red. TM Mangeri shared that the advantages of Code Red is that they use the national database of residents in this area and data code, which is beneficial. CM Mertz asked TM Mangeri who that state contractor is and TM Mangeri shared that he is reaching out to the state for more information. TM Mangeri also reminded Council that the Town is within the 10-mile radius of the Nuclear Business Facility, so not having an emergency alert system is not an option, and he is working to find an efficient system.
- 6. **ACTION ITEM:** Discussion and possible vote to acquire a pole barn (Steel Structure) for Town Park Maintenance Equipment.
 - a. TM Mangeri and Council is working to develop a pole barn or maintenance facility, the Town has received specifications on a 50x50 pole barn and a bid for the work, just below \$60,000, but the Town wants to modify the specs. The second part is that the Town received a cost estimate for a 16 x 20 x 10 shed in the Town Park. TM Mangeri would like to get rid of the Con- Ex boxes for a more aesthetically pleasing facility. This could be placed in the parking lot in front of the pavilion to be centrally located. There is also electricity to allow for the installation of lights and possibly a camera system in the future. CM Dugan shared that he agreed that it would be helpful to remove the Con-Ex boxes. The specifications have been forwarded to Council, but the only item that has not been specified is the excavation of the building, especially for the larger building. TM Mangeri specified that if Council so chooses, by vote to authorize the 16 x 20 x 10 building, the Town can get the building input. The larger pole building estimate gives the Town a basis for obtaining specifications and going out to bid. TM Mangeri

suggests holding off on the Town Maintenance building until the Town has the specifications, which are agreed upon by the Town Engineer, Town Manager, and Public Works.

- b. Mayor McDonald shared that his concern is that he does not see a need to purchase a building to store equipment at the park. He shared that this building could be easily accessed for vandalism and theft. He would prefer a maintenance facility enclosed by a securable fence. Additionally, equipment will be transported from a main maintenance building. Mayor McDonald is also concerned about the liability if someone breaks into the shed.
- c. CM Lobdell asked about the smaller building and clarified that fill dirt is not included in the specifications. CM Dugan shared that he spoke to the contractor regarding fill dirt, for the larger building and that fill dirt will not be necessary if the smaller building is placed in the parking lot. Additionally, CM Dugan shared that he agrees with Mayor McDonald that putting a fence around the shed in the Park may be a good idea to make the area larger and better usable as the Town grows. CM Dugan also shared that it would be helpful to add cameras to this area to better monitor what is going on.
- d. CM Miller stated that he is in favor of the Mayor's recommendation. He shared that he does not think a shed is necessary in the park, as this presents a vandalism issue, even with cameras, because the building and equipment could be damaged either way. CM Miller shared that he agrees that one facility would be best, especially since there will be additional maintenance needs throughout Town, and the equipment will need to be transported either way. This is similar to most Towns, who have a centralized maintenance facility for all equipment.
- e. TM Mangeri notified Council, based on discussion, that he is not sure if a fence would be able to be placed around the shed, due to available space, for Council's consideration.
- f. CM Lobdell asked how much work is done around Town, with the mowers, outside of the park. TM Mangeri shared that not much work is done around Town. Additionally, at this time, most of the work is conducted with the mowers. Sometimes, the mowers are used across from the old Town Hall to mow the open areas in that area. As common areas are dedicated or HOA's turn over land, this may change and work may be done in more areas throughout Town, but this is not currently the situation. CM Lobdell also asked how time consuming it would be for the mowers to be brought back and forth to the park. TM Mangeri shared that if there was a maintenance facility with a trailer for the mowers to stay on, it would not be too time consuming.
- g. TM Mangeri asked if Council would like TM Mangeri to continue to review and obtain specifications for a Pole Barn near old Town Hall, with CM Dugan and CM Lobdell and TE Van-Otoo; as appropriate. Mayor McDonald and TM Mangeri agreed they would also look into adding a fence around the pole building and the old Town Hall.

h. CM Miller shared that he agrees and would like to see further investigation into what can be added to the old Town Hall area. TM Mangeri with the assistance of CM Dugan and CM Lobdell will create a specification package for this building.

7. **ACTION ITEM:** A discussion and possible vote to extend the contract with GFL/Waste Industries for municipal solid waste and recyclable collection for up to two years.

a. TM Mangeri shared that GFL is the Town's current municipal solid waste contractor. In their contract, it is a three-year contract with the potential for a two-year extension. TM Mangeri reached out to GFL because the current rate is something that is an issue. GFL has negotiated a contract extension with TM Mangeri to extend to years four and five, based upon the existing contract provision to allow for a two-year extension. The term of the proposed contract is that the current cost would be continued, at the current rate, however from May 2021- December 2021 and April 2022- December 2022, GFL would add yard waste collection. Each house would be provided a 65-gallon yard waste container to be collected every other week at the same rate of \$20.74 paid currently per household. At the end of the first year, GFL and the Town will review the cost against the consumer price index, to allow for an increase based on CPI, should the CPI show it, not to exceed 2.5%. This is currently \$0.52.

b. Mayor McDonald asked if residents would be okay with an additional trash can or if GFL could provide an option for GFL to come out with rolling yard waste cans to collect from residents. TM Mangeri shared that residents have asked for this in the past and the additional yard waste cans is the methodology used by GFL. CM Miller shared that a roll out option may not be best because other items besides yard waste may wind up in those bins. CM Mertz recommended a once-a-month pickup of yard waste. TM Mangeri shared that he and GFL investigated this, but the cost savings of once a month versus every other week, was insignificant, about \$0.15 per house in cost savings. TM Mangeri shared that it would not be possible to collect the yard waste without adding another bin. CM Dugan shared that if individuals do not want another container, they do not need to take one, but the bottom line is that the yard waste collection is free this year and not costing the Town anything. The possibility for increase is next year, by \$0.52 per household. This gives the Town the option to try this option and if the residents and the Town do not like this, another alternative could be decided in the future. Ms. Gorman expressed that most trash collectors are adding separate bins for yard waste, not just GFL, so this must be the methodology for yard waste collection. CM Lobdell pointed out that yard waste includes grass clippings, which allows the containers to fill up fast, so a one time a month collection would not be preferable.

c. *CM Lobdell made a motion to approve the contract extension; as written and prepared; with Delaware Waste Industries to extend the contract until June 30th, 2023 with the monthly rate to remain at \$20.74 and a CPI increase evaluation to take place July 1, 2022 and the inclusion of the provision of a*

65- gallon container for yard waste pickup, bi-monthly. CM Mertz seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Mertz- Yea, Miller- Yea)

VIII. Committee Reports

A. Finance: Chair Mayor Thomas McDonald - Co-Chair CM Edgar Dugan

- a. Review and possible discussion on the February 2021 Budget vs. Actual Report.
 - i. Mayor McDonald asked FO Helms for clarification of line 21, "Interest Income". FO Helms explained that compared to last year, the yields the Town is getting on the mutual equity investments are slightly lower, earning less interest income and the fees are assessed every quarter for managing investments, has increased for the year. Therefore, the interest income is the income net the fees. FO Helms will confirm with the manager of the account as to why the fees are increased, but she believes it has to do with depositing an additional \$750,000 into the investment account and he had to manage the accounts more to move cash around each month, to add the funds into the accounts. Or FO Helms could create an additional account to see the interest separate from the fees.
 - ii. Mayor McDonald also asked for clarification of line 28 to ask what a O/S is. FO Helms clarified that this is outstanding taxes, the amount of taxes outstanding for FY 21. CM Lobdell also had a question about this same line item for outstanding taxes. CM Lobdell shared that last year, the Town moved to discontinue the trash and streetlight fees and increase the taxes, during the pandemic and wanted to know how the amount of outstanding taxes compares to previous years outstanding tax numbers. FO Helms shared that last year, the amount was a lot higher, but Town administration is actively going after delinquent accounts and collecting taxes during settlement. The outstanding amounts have been reduced compared to last year. CM Lobdell shared that the procedures we are taking are working. FO Helms also shared that a penalty is being assessed each delinquent month and residents are also receiving a bill more frequently when they still owe, which has contributed to more payments. TM Mangeri clarified that the Town is charging interest for outstanding accounts. Long term reduction of outstanding debt is being reduced by one third, based on the principles and practices being implemented. The procedures and staff working through these procedures are making a difference. Additionally, the Town is checking Sheriffs Sales to record the Town's obligations.

B. Human Resources: Chair CM Patrick Miller

- a. An update on potential candidates for the Part Time Maintenance Employee position.
 - i. TM Mangeri shared that the Part Time Maintenance Employee position has been posted to the Town website. TM Mangeri has also met with the former Part Time Maintenance Employee who may be able to return at the end of April, pending clearance from his doctor. TM Mangeri shared that he is welcome to come back. The next step will be to post the position on an outside website.

- ii. Mayor McDonald suggested to Council that they look into hiring a Part or Full Time Maintenance Supervisor to handle scheduling and building up the Town's Maintenance program and create a long-term program to ensure longevity of equipment and property. CM Miller shared that he has discussed this with TM Mangeri, and he agrees that this position would be necessary as the Town is growing and for preventative maintenance. CM Lobdell agrees that he would like CM Miller and TM Mangeri to look into this. CM Mertz asked is the Part Time Maintenance Supervisor could also contribute to doing the maintenance, do avoid hiring two people. Mayor McDonald shared that this person would need to be experienced, with being a mechanic, scheduler, program coordinator, etc. CM Miller shared that he agrees with Mayor McDonald with the qualifications but would like the main responsibility of the Maintenance Supervisor would be to supervise and ensure things are conducted in accordance with procedures and could occasionally assist with maintenance work.
- iii. When asked, TM Mangeri suggested that a full time Maintenance Supervisor would be helpful to build out the team along with a small part time Maintenance Worker to supplement the work of the Maintenance Worker. Additionally, TM Mangeri reminded Council that the Part Time Maintenance Worker was brought on after the landscaper contract was stopped, which was costing the Town around \$4,000 per year, to hire a part time maintenance worker. Additionally, the Town is inheriting a lot of roadways, so having an additional staff member to oversee this, would be helpful. Mayor McDonald asked TM Mangeri and CM Miller to review this. TA Townsend confirmed that TM Mangeri can solicit resumes for this position, while Council still maintains the ability to set salary and job qualifications.

C. Public Works: Chair CM Edgar Dugan - Co-Chair CM Scott Lobdell

- a. CM Dugan shared that the letters have been distributed to residents along the hedgerow of the farm to notify residents that they cannot disrupt the hedgerow. CM Dugan shared that he has not heard any negative feedback from the owners of the farm. It was a positive item. TM Mangeri shared that the Town has received at least one phone call from a resident who apologized profusely and pointed out that they would like to get ahold of the farmer and repair a good relationship, so there was a very positive response, and a resident did follow the request of the letter and contacted the Town in a positive manner.

D. Land Use & Development: Chair CM Scott Lobdell - Co-Chair CM Edgar Dugan

- a. An update on the 2020 Comprehensive Plan.
 - i. TM Mangeri shared that the maps have been forwarded to the Planning Commission to be reviewed. He has requested that as the Town moves forward, TE Van-Otoo makes the map set in GIS to update more easily and in the future, it could be shared and distributed. TE Van-Otoo has worked to use GIS to make these maps.

- b. CM Lobdell also shared that the Zoning Code changes are on the Planning Commission Agenda and will be shared with Council.
- c. TM Mangeri shared that a Townsend Acres Board of Adjustment Hearing will be held on April 29th. Their request has been reviewed by the Planning Commission, who has submitted a letter to Council. The Town is working out the nuances of the request with the developer, along with CM Lobdell and CM Dugan.

E. Veterans Committee: Chair CM Patrick Miller - Co-Chair CM Mertz

- a. **ACTION ITEM:** A discussion and possible vote on Resolution 2021-002, a resolution to display the POW/MIA flag on in coordination with federal and state law.
 - i. Mayor McDonald read resolution 2021-002, a resolution to display the POW/MIA flag on in coordination with federal and state law.
 - ii. CM Miller shared that there will be certain days when someone will not be available to raise the flag, such as a holiday that falls on a weekend or a Town Holiday, but CM Miller would be honored and privileged to take care of raising and lowering the flag on these days.
 - iii. *CM Dugan made a motion to approved Resolution 2021-002, a resolution to display the POW/MIA flag on in coordination with federal and state law. CM Lobdell Seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Mertz- Yea, Miller- Yea)*
 - iv. TM Mangeri will coordinate with CM Miller and the future Veterans committee to ensure the posting of these flags on the aforementioned dates.
 - v. CM Lobdell asked CM Miller if there were estimates available of Americans still fallen under the POW/ MIA category. CM Miller said there were estimates of upwards of 187,000 veterans still unaccounted for.
- b. An update and clarification on Delaware HB 12 regarding exemption from taxation of real property for veterans with 100% disability.
 - i. CM Miller shared that he had previously shared about Delaware HB 12 regarding exemption from taxation of real property for veterans with 100% disability. CM Miller clarified that this is a requirement for exemption for the County taxes and would not affect the municipal taxes.

F. Public Safety: Chair CM Patrick Miller - Co-Chair – CM Mertz

- a. An update on the Neighborhood Watch meeting from 3/31/21.
 - i. CM Mertz shared that the Neighborhood Watch meeting took place on 3/31/21, with a small attendance. A new attendee attended the meeting and learned about the Neighborhood Watch. CM Mertz found out that Wednesday nights are not the best night for many families. They discussed possibly holding this meeting on the last weekend in April. Additionally, there was a discussion about proceeding with a training event and recruiting Lt. Lloyd for the training, but they are not ready for this. CM Mertz wants to gather a good list of residents to attend this meeting so it can be well attended.

- ii. Mayor McDonald asked if there were volunteers from each neighborhood and if there were many people volunteering. CM Mertz shared that there is enough interest in one area to host a training and see if the interest catches, but at the moment there is not a sustained interest. Mayor McDonald asked if the HOA's could be involved. CM Mertz shared that Samantha Golden had joined the 3/31/21 meeting. TVI is in the process of electing their HOA and completing their turnover. CM Mertz is also in the process of communicating with the TVII HOA to display the flyer for the Neighborhood Watch. CM Mertz shared that he would give it a couple more chances and if interest does not increase, the Neighborhood Watch may need to be tabled for a little while.

G. Community Relations: Chair CM Scott Lobdell - Co-Chair CM Mertz

- a. **ACTION ITEM:** A discussion and possible vote to review Town Events and decide how to proceed with events, during the COVID-19 Pandemic.
 - i. CM Lobdell shared that he and CM Mertz met and will do through with planning the Town Parade and Fair and discussed additional special additions to the event. The Town will proceed as if the event is happening and will decide later in the summer if COVID prevents the Town from holding the event. Additionally, CM Mertz and CM Lobdell will meet with TM Mangeri to possibly plan some additional events for the rest of the year.

H. Parks & Recreation: Chair CM Scott Lobdell - Co-Chair CM Patrick Miller

- a. **ACTION ITEM:** A discussion and possible vote regarding the status of Town of Townsend Park Equipment, Basketball Court, Skate Park, and Pavilion.
 - i. CM Mertz shared that at the last meeting, Council had asked TM Mangeri to look into what would be needed to open up the Park including what other municipalities are doing and what the State and CDC requirements are. A lot of residents have asked when the Park could open up. CM Lobdell also clarified that when the term "the park is closed" is used, it does not mean the entire park is closed, it means that the equipment is closed, but the Park and the open areas are open for use. CM Lobdell shared the main closures are the Park equipment, skate park, and basketball court.
 - ii. TM Mangeri shared that he did review the claim that other Towns have their parks and equipment open. A review of surrounding town parks and playgrounds were provided to Town Council. With the exception of New Castle County, all surrounding towns playgrounds remain closed as of this meeting. The Town Park remains open, but it is the equipment which remains closed due to the requirements for maintaining, cleaning, and supervising or overseeing the equipment. Middletown playgrounds remain closed, but all Parks remain open for walking, running, and jogging, as is the Townsend Park. Smyrna's playground is also closed due to COVID-19 and Parks are open for general recreation. The Town of Odessa's equipment remains closed. The only playgrounds below the canal that are open, are New Castle County, which allows Parks to be open for regular use. Per the

County website, the park equipment are not sanitized by the county and masks are required when not maintaining six foot distancing.

- iii. Looking at Playground requirements and precautions, TM Mangeri shared that this was a large topic at the last Governor's call. There was also guidance issued by the State Division of Public Health, which was provided to Council and outlines guidance for playgrounds. To highlight the requirements, DPH acknowledges that it would be very difficult to ensure children maintain social distancing. Face coverings should be worn in accordance with the Governor's orders, even in playgrounds, if they are open. Social distancing 6 feet between people should be maintained to the greatest extent practicable when face coverings are not or cannot be worn. This means that if the playground does open, all swings could not be opened and every other one should be opened, or swings should be spaced out. Equipment or any touch surface, gates, seating's, or commonly touched surfaces, that can be easily disinfected, such as fiberglass, plastic, and metal should be disinfected at least once per day or between groups. Playgrounds and high traffic facilities and areas should be disinfected more frequently, especially between groups of children using them. Signage should also be present to encourage social distancing, to wear face coverings, and wash or use hand sanitizer before and after use. There are five additional requirements for signs including: how often and when the playground is cleaned and disinfected each day, remind participants the playground is not disinfected between users and that frequent hand washing and sanitizing is important, encourage users to wipe down equipment if not in use when they arrive, and identify locations of hand sink or hand sanitizer stations at the facility and remind users they must wash or use hand sanitizer before and after use. TM Mangeri added that the Town may need to install hand sanitizing stations at the Park. These are the minimum requirements provide.
- iv. CM Miller asked for the proper wording of the state information TM Mangeri provided, guidelines, requirements, or recommendations. CM Miller also shared that he heard from a source that an Executive Session was held in Middletown to open everything in the park. CM Miller reached out to a Council member with Middletown for additional information.
- v. TM Mangeri confirmed that the DPH guidance are guidelines and are not absolutes. State government does not feel it is their position to mandate. TM Mangeri's position is that if it is a guideline, or if you do not follow the guideline and something happens, like an exposure outbreak, then what is the liability to the Town.
- vi. CM Mertz asked if the New Castle County Park and Playground are open for use? TM Mangeri and CM Miller confirmed that yes, both are open, but they cannot confirm whether or not the guidelines are being followed.
- vii. *CM Mertz made a motion to open the Town playground and additional park equipment for use. CM Dugan seconded the motion.*

- viii. CM Miller added to the discussion that he agrees with opening the park, but that a sign should be added that the equipment is not sanitized daily, and that you are using it at your own risk. Additionally, the sign should say that mask wearing, and social distancing is necessary. Additionally, CM Miller shared that he believes the liability of opening the park is low. Additionally, adding sanitation stations throughout the park would be useful.
- ix. CM Lobdell shared that he is in favor of opening the Park but asked TA Townsend if the Town is putting themselves in a bad spot by opening it. TA Townsend shared that this is a difficult question to answer, but there are safeguards the Town is going to put into place warning residents, it seems that the liability is not so high that it cannot be considered.
- x. Mayor McDonald shared that is the Town park is the only park that is open, people will travel to the Town Park if it is the only one open. Additionally, he shared that he is against putting hand sanitizer stations in the Park because those who use the Park will bring it with them. If it is placed in the Park without supervision, it may pose a hazard. Additionally, if wipes are added, a Town Employee will need to be in the Park to clean up the wipes. Mayor McDonald also would like at least three major signs stating the following:
 - 1. You can play at your own risk.
 - 2. Parents need to supervise their children.
 - 3. The DPH guidance regarding masks and social distancing.
- xi. TM Mangeri asked for clarification on what Park equipment should be put back and if the Pavilion will be allowed to open for use and are the basketball court and state Park should be closed. Additionally, should postings be made that the equipment will not be sanitized and they are for use at your own risk.
- xii. CM Miller shared that all equipment should be opened at the user's risk. Regarding the Pavilion, they should be opened in accordance with outdoor guidelines.
- xiii. TE Van-Otoo advised that there is ongoing construction with the Tennis and Pickle Ball Courts and there is going to be a two-week period where the asphalt needs to lay dormant before additional surfaces are applied. He advised Council to keep in mind that if there are going to be additional people in the Park, they will need to stay off of those areas, in order to achieve the product that the Town wants.
- xiv. CM Dugan asked if a temporary fence would be placed around the construction. TE Van-Otoo confirmed that it will be in place, but that may not prevent people from accessing the area.
- xv. TM Mangeri shared that the Pavilion could be rented but meet the requirements set forth by the Governor.
- xvi. Councilman Carter shared that the requirement for outdoor gatherings is 150 people or 50% of the fire capacity.

- xvii. *CM Mertz amended his motion to clarify that all Park Equipment including the playground, basketball court, skate park, and Pavilion, should be opened back up to the Public, with the signage left up to the Town Manager. CM Dugan seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Mertz- Yea, Miller- Yea)*
- xviii. TM Mangeri will review for metal signs to be posted throughout the Park and will begin the process of reopening the Park equipment.
- xix. CM Miller shared that Middletown is not adding signage or sanitizing the Middletown Park and the County is not sanitizing their Parks.
- xx. CM Mertz asked for clarification on when the playground should be open. TM Mangeri shared that it will be open in the next few days and the Town will post when the Park Equipment is open. CM Miller shared that April 30th would be a good timeframe to allow for the Town Manager allow for Park systems should be back up and running.

I. National Wildlife Federation Liaison: CM Mertz

- a. A discussion on butterfly gardens throughout Town for National Wildlife Federation Credits.
 - i. CM Mertz shared that at the last Council meeting, he shared that he would meet with the Town Manager and Town Clerk to develop a message regarding butterfly gardens, and he will schedule time with both to work on this.

IX. Citizens Comments & Participation

1. Councilman Carter shared that the County is having a phased reopening of their libraries, after they were able to get their staff vaccinated. The County is also struggling with completely opening Parks. The County is still deeply involved in their Comprehensive Plan. An Ordinance was introduced to add the Master Plans to the Comprehensive Plans to give them legal meaning, but Councilman Carter refused to sign on to the Ordinance, as he was under the impression that it was developed to guide the Comprehensive Plan, not that it would become legislation. He will not be supporting this as he believes the Master Plans should be refined before becoming part of the Master Plan.
2. Councilman Carter worked hard during the budget hearings to receive a commitment to begin trail planning on Wiggins Mill with the target to have space set aside to do this this coming fall. The agricultural lease runs out which if renewed, could allow for buffers, trails, and other options to allow public access to the area. There are 172 acres owned by the public. Additionally, there is significant funding for New Castle County under the American recovery plan in an additional \$108 million, with an allotment for Housing and Redevelopment Plans. Councilman Carter will be actively pursuing at least \$20 million into affordable housing programs. He has discussed how this could assist Townsend with TM Mangeri and will let the Town know how it goes. Additionally, Economic Development will be included. The County is in good shape economically, with \$30 million in excess of the budget, which allows for the County-wide reassessment to take place without raising taxes. Councilman Carter will also be pursuing expanding youth services south of the Canal, possibly using the Townsend Park or using the school

districts for programming. Additionally, 7/1/21, Councilman Carter will have grant money available for special projects.

- X.** Mayor McDonald did not move to an Executive Session and will meet with CM Miller, TM Mangeri, and TA Townsend for a phone call meeting.

XI. Adjournment

Mayor and Council adjourned the meeting 9:01 pm.